

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

F. E., et al.,

Plaintiffs,

v.

MORELAND UNIFIED SCHOOL
DISTRICT, et al.,

Defendants.

Case No. [16-cv-03983-BLF](#)

**ORDER GRANTING PETITION FOR
THE APPOINTMENT OF GUARDIAN
AD LITEM**


[Re: ECF 13]

Before the Court is Plaintiff's petition to appoint Mr. Fritz Eberly as guardian ad litem for Plaintiff F.E., a minor. ECF 13. When a minor is a litigant, "[t]he Court has a duty to ensure that [the] minor's interest[s] are protected." *Brown v. Alexander*, No. 13-CV-01451-RS, 2015 WL 7350183, at *1 (N.D. Cal. Nov. 20, 2015) (citing Fed. R. Civ. P. 17(c)). "A guardian ad litem is like the minor's agent whose purpose is to protect the minor's interests in the litigation. While a guardian ad litem 'may make tactical and even fundamental decisions affecting the litigation,' he or she must make those decisions 'always with the interest of the guardian's charge in mind.'" *Id.* (quoting *Williams v. Superior Court*, 147 Cal. App. 4th 36, 47 (2007)).

Mr. Eberly is F.E.'s father, and declares that he has no interests adverse to F.E., and that the appointment is intended for this litigation only. *See* ECF 13-1. Having considered Plaintiff's submissions, the Court finds that Mr. Eberly a suitable representative for F.E.'s interests in this action. Accordingly, the Court GRANTS the petition to appoint guardian ad litem for the purposes of this action.

IT IS SO ORDERED.

Dated: November 29, 2016


 BETH LABSON FREEMAN
 United States District Judge